GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District on 09-01-2017 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - against Sri Devarapalli Bala Murali Krishna, Junior Assistant, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District - Article of Charges – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.880 **Dated:19-06-2018**

Read the following:

1. From Director General, Anti Corruption Bureau,A.P, Lr.C.No.6/DES-NNL/2017, dated:18-05-2018.
2. G.O.Ms.No.319, Revenue(Vig-II)Department, Dt:19-06-2018.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Devarapalli Bala Murali Krishna, Junior Assistant, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Devarapalli Bala Murali Krishna, Junior Assistant, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Devarapalli Bala Murali Krishna, Junior Assistant, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Devarapalli Bala Murali Krishna, Junior Assistant, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

To
Sri Devarapalli Bala Murali Krishna, Junior Assistant, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District.(w.e, Annexures I to IV) **through** the Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada (with a request to serve the order on the individual and send the served copy with dated signature to Government)
The Commissioner, Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada.

Copy to
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi.
The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Andhra Pradesh, Vijayawada.
The Revenue (Commercial Tax-I) Department.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI DEVARAPALLI BALA MURALI KRISHNA S/O. SUBBA RAO, OCC: JR. ASST., COMMERCIAL TAX DEPARTMENT, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Devarapalli Bala Murali Krishna S/o. Subba Rao joined in Government Service on 29.03.2007, as Junior Assistant and worked at O/o. Commercial Tax Officer, Kavali, working as Junior Assistant at O/o. Deputy Commissioner (Commercial Taxes), Nellore from 17.07.2009 and working on deputation as thus at Integrated Check Post, B.V.Palem, Tada, Nellore District. His date of birth is on 19.04.1979 and date of retirement on attaining the age of superannuation is 30.04.2039. He is here-in-after referred to as Government Servant. While functioning as Junior Assistant, Commercial Tax Department (Outgoing Check Post), Integrated Check Post, B.V. Palem, Tada (Mandal) committed grave misconduct in as

CHARGE:- That Sri Devarapalli Bala Murali Krishna S/o. Subba Rao, Junior Assistant, Commercial Tax Department (Outgoing Check post), Integrated Check Post, BV Palem Check Post, Tada, being a public servant who was on duty together with one Junior Assistant, One Head Constable, One Technical Assistant and One Forest Section Officer had been collecting mamools (bribe) ranging from Rs.100/- to Rs.150/- through private person namely as i.e. Sri I. Srinivasulu. An unaccounted amount of Rs.37,250/- was found with the aforesaid private person during the surprise check. The above mentioned staff allowed the crew of some vehicles pass through the check post by flouting Rules. The aforesaid unaccounted amount of Rs.37,250/- was seized on 09.01.2017.

Thus, Sri Devarapalli Bala Murali Krishna, Junior Assistant by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 3 (1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI DEVARAPALLI BALA MURALI KRISHNA S/O. SUBBA RAO, OCC: JR. ASST., COMMERCIAL TAX DEPARTMENT, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Devarapalli Bala Murali Krishna, Junior Assistant is a native of Nellore, SPSR Nellore District and joined in Government Service on 29.03.2007, as Junior Assistant and worked at O/o. Commercial Tax Officer, Kavali, working as Junior Assistant at O/o. Deputy Commissioner (Commercial Taxes), Nellore from 17.07.2009 and working on deputation as thus at Integrated Check Post, B.V.Palem, Tada, Nellore District. His date of birth is on 19.04.1979 and date of retirement on attaining the age of superannuation is 30.04.2039. He is here-in-after referred to as Government Servant.

CHARGE:- That Sri Devarapalli Bala Murali Krishna S/o. Subba Rao, Junior Assistant, Commercial Tax Department (Outgoing Check post), Integrated Check Post, BV Palem Check Post, Tada, being a public servant who was on duty together with one Junior Assistant, One Head Constable, One Technical Assistant and One Forest Section Officer had been collecting mamools (bribe) ranging from Rs.100/- to Rs.150/- through private person namely as i.e. Sri I. Srinivasulu. An unaccounted amount of Rs.37,250/- was found with the aforesaid private person during the surprise check. The above mentioned staff allowed the crew of some vehicles pass through the check post by flouting Rules. The aforesaid unaccounted amount of Rs.37,250/- was seized on 09.01.2017.

FACTS AND EVIDENCE:-

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District are indulging in corrupt practices and collecting illegal gratifications/mamools from the crew of vehicles plying through Integrated Check Post, B.V.Palem, a surprise check was conducted over Transport Wing, Commercial Taxes Incoming and Outgoing Wings of Integrated Check Post, B.V.Palem on 09.01.2017 from 02.30 am to 09.30 am with three teams headed by the Deputy Superintendent of Police, Anti Corruption Bureau, Nellore Range, Nellore in the presence of mediators. The surprise check revealed the following irregularities and violations. The officials of Outgoing Check Post engaged two private persons for collecting mamools ranging from Rs.100/- To Rs.150/- from the crew of the vehicles as usual practice for ignoring the violations. At the time of surprise check 1) Sri Manapati Raghu, Junior Assistant, 2) Sri Devarapalli Bala Murali Krishna, Junior Assistant, 3) Sri Ganta Ravi Kumar, Head Constable 4) Sri Dasari Hari Babu, Technical Asst., and 5) Sri Vasili Chandra Sekhar, Forest Section Officer is on duty and the same was reflected in the Duty Register. During the surprise check the one private person namely Sri I. Srinivasulu found with an unaccounted amount of Rs.37,250/-. The Deputy Superintendent of Police got recorded the statement of the Sri I. Srinivasulu private person. As per the statements of the crew members it was confirmed that the amount was collected from them for ignoring the violations during the transportation of the goods in the vehicles and the amount of Rs.37,250/- was seized under the surprise check proceedings.

Therefore the Government Servant Sri Devarapalli Bala Murali Krishna by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE – III

LIST OF WITNESSES

1) Sri Sambareddy Bhaskar Naidu S/o Subba Naidu, Age: 58 Years, Occ: Lorry Driver, R/o: D.No.6-3-61, Rajagopala Puram, Naidupeta, SPSR Nellore District.

2) Sri Pasupuleti Venkateswalru S/o. Seenaiah, Age: 40 Years, Occ: Lorry Driver R/o: Pinakini Grameena Bank Road, Vedayapalem, Nellore, SPSR Nellore District, AP.,

3) Sri Damerla Bhagavan Das S/o Ramanjaya, Age: 42 Years, Occ: Lorry Driver, R/o: Rama Krishna Nagar, Butchireddypalem SPSR Nellore District, A.P.,

4) Sri Ittahadi Srinivasulu S/o. Venkataiah, Age: 32 Years, Profession: Cooli, R/o: Kollamitta Village, Sullurupeta Mandal, SPSR Nellore District (Private Person).

5) Sri Nalagandla Hari Prasad S/o. Chennaiah, Age: 56 Years, Occ: Asst. Engineer (R&B), O/o. Deputy Executive Engineer, Roads & Buildings Sub-Division, Nellore, SPSR Nellore District (Mediator).

6) Sri Napa Madhu Sudhana Rao S/o. Late. N. Venkata Subbaiah, Age: 42 Years, Occ: Jr. Asst, O/o. Deputy Executive Engineer, Roads & Buildings Sub-Division, Nellore, SPSR Nellore District (Mediator).

7) Sri Mukka Venkateswarlu S/o.Late Gopala Rao, Age: 41 Years, Occ: Asst. Labour Officer, O/o. Dy. Commissioner of Labour, 1st Floor, Moonland Apartments, KVAgraharam, Pogathota, Nellore (Mediator).

8) Sri Konda Srinivasulu Reddy S/o Late Ramana Reddy, Age: 40 years, Occ: Jr Assistant, O/o. Asst. Labour Officer, III Circle, Moonland Apartments, KVAgraharam, Pogathota, Nellore(working as enumerator in the smart pulse survey in Municipal Corporation of Nellore on deputation basis) (Mediator).

9) Sri Gangisetty Krishna S/o. Late Venkata Ratnam, Age: 54 Years, Occ: Asst. Executive Engineer, O/o. Dy. Executive Engineer, R & B Sub Division, Kovuru, SPSR Nellore District (Mediator).

10) Sri Peramsetty Roop Vijayanth S/o. Rama Murthy, Age: 47 Years, Occ: Sr. Asst., O/o. Deputy Executive Engineer, R & B Sub Division, Kovuru, SPSR Nellore District (Mediator).

11) Sri.T. Prabhakar, the then Dy.Supdt. of Police, ACB, Nellore Range, Nellore now working as DSP, ACB, Ongole, Prakasam District.

12) Sri N. Siva Kumar Reddy, Inspector of Police, ACB, Nellore Range, Nellore.

13) Sri A Srihari Rao, Inspector of Police, ACB, Nellore Range, Nellore.

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SECTION OFFICER

ANNEXURE - IV

LIST OF RECORDS

1) Photostat copies of Duty Register of ICP, B.V. Palem, Tada.

2) Photostat copies of Personal Cash Register of ICP, B.V. Palem, Tada.

3) Photostat copies of Duty Chart of Commercial Wing, ICP, B.V. Palem, Tada.

4) Photostat copies of Visiting Register of ICP, B.V. Palem, Tada.

5) Rough sketch of scene of offence, Dt: 09.01.2017.

6) Surprise Check Proceedings drafted on 09.01.2017 for the surprise check conducted over the ICP, B.V. Palem, Tada Mandal, SPSR Nellore Dist.

7) Service particulars of SO and Job Chart.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER